GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S. – Tahsildars – Anantapur Dist. – Sri K.Venkateswarlu, formerly MRO(now retired) Peddapappur Mandal, Anantapur Dist. - Irregularities in disbursement of crop compensation to the eligible and affected farmers – Imposed punishment of withholding full pension and gratuity beside recovery of Rs.11,44,576/- – Hon'ble APAT in its orders dated 05.12.2014 in OA No 4990/2013 filed by Sri K. Venkateswarlu the then MRO retired and now expired has set-aside the punishment orders – Orders Implemented – Further action abated – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.RT.No. 1191 **Dated:23.11.2015.**

Read the following:-

1. G.O Rt. No 766 Rev (Vig.II) Dept., dated 29.05.2013
2. Orders of APAT in OA No 4990/2013 filed by Sri K. Venkateswarlu the then MRO retired and now expired dated 05.12.2014.
3. Representation of Sri K. Venkateswarlu the then MRO retired and now expired dated 12.01.2015.
4. Government Memo No 38297/Vig.III.2/2009 dated 24.03.2015.
5. From the CCLA lr. No VS.II(1)/4026/1998 dated 11.09.2015 along with the report of District Collector Anahtapur dated 03.08.2015

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ORDER:-

In the reference 1st read above, Government have imposed a punishment of withholding the entire pension and gratuity permanently besides recovery of loss of Rs.11,44,576/- on Sri K.Venkateswarlu,, M.R.O, Peddapappur(M)(now retired) for the irregularity committed while working as MRO Peddapappur mandal Ananthapur District that he has distributed an amount of Rs.9,59,988/- without any acquittances, Rs.1,52,000/- without mentioning survey No.8, extent of land effected and another Rs.32,588/- towards forest/endowment lands.

2. In the reference 2nd read above, the Hon'ble APAT in its orders dated 05.12.2014 in OA No 4990/2013 filed by Sri K. Venkateswarlu the then MRO retired and now expired has ordered as follows:

> ***"For the reasons stated under point Nos (i) and (ii), the OA is allowed in part. The impugned G.O.Rt. No 766 Rev (Vig.II) Dept., dated 29.05.2013 issued by the 4th respondent to the extent of imposing penalty of withholding of full pension and gratuity besides recovery of Rs. 11,44,576/- is held disproportionate to the misconduct attributed to the applicant and it is accordingly set-side. The matter is remitted back to the 4th respondent for imposing lesser penalty keeping in view the long delay that occurred in conclusion of the departmental enquiry and also the advanced age of the applicant. Appropriate orders in this regard shall be passed within a period of eight weeks from the date of receipt of this order. MA and VMA are closed."***

3. In the reference 3rd read above, Sri K.Venkateswarlu Tahsildar (Retd) in his representation has stated that the entire disbursement was made by him along with M.R.I. and 17 V.A.Os and I/c M.R.O. (B.Roshan), but the Government without verifying the above, have imposed the major punishment of 100% cut in pension besides the full amount of recovery (i.e, 11,44,576/-) against him. Moreover, Sri B.Roshan disbursed Rs.10,50,000/- from 25.09.1998 to 08.09.1998 to ineligible persons and not even submitted acquitances for the amounts Rs.9,59,988, and the misappropriated amount related to the period of Sri B.Roshan, I/c MRO and does

(P.T.O)

not relate to his period, finally he has requested to exonerate him from the charge and render justice to him.

4. In the reference 4th read above, Government have requested the District Collector Ananthapur to furnish the incumbency particulars of all erred officials involved in the case, duly mentioning their role proportionately (officers wise) in the total misappropriation of the Government funds (i.e Rs 11,44,576/-) taken place during the compensation disbursement, (which was ordered to recover from only Sri K. Venkateswarlu Tahsildar (Retd) who worked till 09.07.1998.

5. In the reference 5th read above, the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has sent the report of District Collector Ananthapur and requested to take further necessary action in the matter. The District Collector Ananthapur while giving the incumbency particulars has reported that Sri K.Venkateswarlu, Retd. Tahsildar expired on 13.03.2015. His wife too expired on 12.03.2015. And the only daughter namely K.Prasana Kumari, aged about 39 years, unmarried, is the only legal heir of the deceased Tahsildar, as per the Family Member Certificate dated 20.04.2015, issued by the Tahsildar, Ananthapuramu.

6. The District Collector has also stated that in the instant case, the event took place during the year 1997-98 and four VAOs, were retired from service on attaining the age of superannuation during the year, 1999, 2002 and 2012 respectively, (one VAO died), and they were paid only honorarium salary. He was further stated that circumstances detailed above and in view of death of the present Govt. servant namely Sri K.Venkateswarlu, on 13.03.2015, and also in view of the fact that the four VAOs, (one VAO died) retired from service on attaining the age of superannuation and the present event took place before four years of the retirement of the said VAOs, has recommend that further action may kindly be dropped against the above individual and it may be considered to waive recovery from the deceased Govt. Servant.

7. Government after careful examination of the orders of APAT dated 05.12.2014 in OA No 4990/2013 Sri K. Venkateswarlu the then MRO retired (now expired) and the representation of the Charged officer and the report of the District Collector Ananthapur have decided to accept the recommendation of District Collector Ananthapur to abate further action and also to waive the recovery proposed against Sri K. Venkateswarlu the then MRO retired (now expired). Accordingly, Government hereby order to abate further action against the diseased employee and also to waive the proposed recovery against Sri K. Venkateswarlu the then MRO retired (now expired).

8. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J C SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration,
A.P., Hyderabad.
The District Collector, Anantapur.
The Legal hires of late Sri K.Venkateswarlu, formerly Mandal Revenue Officer,
Peddappur (M), Ananthapur District through Collector, Ananthapur.
The Accountant General, Andhra Pradesh, Hyderabad.
S.f./S.c.

// FORWARDED BY ORDER //

SECTION OFFICER